

**MINUTES OF THE REGULAR MEETING
OF THE AVON LAKE MUNICIPAL COUNCIL
MAY 12, 2025**

The regular meeting of the Avon Lake City Council was called to order on May 12, 2025, at 7 p.m. in the Council Chamber with Council President Fenderbosch presiding.

Mr. Kos led Council, staff, and the public in the Pledge of Allegiance.

Present: Councilmembers Zach Arnold, Jennifer Fenderbosch, Amy Gentry, David Kos, Rob Shahmir, Geoff Smith, and K. C. Zuber; Mayor Mark Spaetzel; Law Director Gary Ebert; Finance Director Beth Krosse; and Clerk of Council Valerie Rosmarin.

Absent: Public Works Director Jon Liskovec.

PROCLAMATION - National Safe Boating Week

Mayor Spaetzel presented a proclamation recognizing National Safe Boating Week, observed May 17-23, 2025, to Vice Division Commander Russ Cromwell and Vice Flotilla Commander William Ferry from the U.S. Coast Guard Auxiliary.

Vice Division Commander Cromwell explained that the Coast Guard Auxiliary is a volunteer force that serves as part of the U.S. Coast Guard. When the Auxiliary goes out on their boat, they are considered federal employees for that brief period of time and perform most duties the Coast Guard perform, except carrying firearms or make arrests. He highlighted two key programs offered by the Auxiliary that are especially important for boaters:

1. Boating Safety Classes: Held in the spring, typically on a Saturday for eight hours, these classes help prepare boaters for the season ahead. “They’re scheduled at a time when you’re thinking about boating and excited for summer,” said Cromwell. In Ohio, anyone born in 1988 or later is required to complete this course to legally operate a power boat.
2. Vessel Safety Checks: This is a free service where an Auxiliary member will inspect a boat—wherever it is stored—to ensure it is equipped with all required safety gear. “It’s an opportunity to talk about boating safety and get a second set of eyes on your boat and equipment to help keep you safer on the water,” he added.

Mayor Spaetzel thanked the Auxiliary for their service and their efforts to promote safe boating practices in the community.

LEGISLATION

First Readings:

Ordinance No. 25-100, AN ORDINANCE CONFIRMING THE APPOINTMENT OF THOMAS GERENT AS FIREFIGHTER/PARAMEDIC IN THE FIRE DEPARTMENT AND DECLARING AN EMERGENCY, was read by title only.

Mr. Smith moved for suspension of the rule requiring three readings.

Yes: Kos, Shahmir, Smith, Zuber, Arnold, Fenderbosch, Gentry

No: None

Motion passed.

Mr. Smith moved for passage of Ordinance No. 25-100. This legislation will confirm the appointment of Thomas Gerent as Firefighter/Paramedic in the Fire Department at the Step 1 rate of \$2,732.75, effective May 13, 2025.

Yes: Kos, Shahmir, Smith, Zuber, Arnold, Fenderbosch, Gentry

No: None

Motion passed.

Ordinance No. 25-100 adopted.

Mayor Spaetzel administered the Oath of Office to Thomas Gerent.

APPROVAL OF MINUTES

The minutes of the Special Council Meeting held on March 10, 2025, were approved as prepared and published.

ANNUAL REPORT OF COMMUNITY RESOURCE SERVICES (CRS)

Pam Ohradzansky, Executive Director of Community Resource Services (CRS), presented the 2024 Annual Report to Council as follows:

CRS's mission is to diminish the effects of poverty in Avon and Avon Lake by providing basic needs assistance and individualized resource referral services in a compassionate and confidential manner. This is achieved through CRS's onsite food pantry, financial assistance for emergency expenses, and client personal development programs.

In 2024, CRS served 623 Avon Lake residents living in 297 individual households, representing a 7.6% increase in households and a 10.7% increase in individuals served compared to 2023.

The food pantry remains CRS's largest and most far-reaching service, addressing the critical and ongoing issue of food insecurity in the community. Food insecurity

contributes to increased financial stress, decreased physical and mental well-being, and poor academic performance. In 2024:

- The pantry was accessed over 3,300 times by Avon Lake residents.
- CRS distributed 365 food-only gift cards.
- Over 112,000 pounds of food, toiletries, and cleaning supplies were distributed to residents of Avon and Avon Lake.
- The pantry is stocked primarily through donations, food drives, and support from local organizations, churches, and schools.
- CRS is also a member of Second Harvest Food Bank, which provides access to food at reduced cost.

CRS continues to see a growing number of families and senior citizens struggling to meet basic needs. In 2024, CRS provided:

- Financial assistance to 68 families to prevent eviction.
- Utility assistance to 87 households to avoid shutoffs.
- Support to 72 individuals for auto-related expenses.
- Distribution of 393 fuel cards valued at \$25 each.

Mrs. Ohradzansky thanked the City for donating \$25,000 in 2024, which was used exclusively to support Avon Lake residents. Those funds covered approximately 17.5% of the total assistance provided to Avon Lake residents in 2024, with a total of \$142,858 in financial aid distributed. She concluded by sharing personal stories of how CRS has positively impacted residents and expressed sincere appreciation for the City's continued support.

CORRESPONDENCE

The following correspondence or communications were received:

1. Clerk of Council Rosmarin received an email from Karl Kisselle in support of the rezoning request of Pulte on the east side corner of SR 83 and Walker Road.
2. Ms. Gentry received emails opposing the rezoning request of Pulte due to the current traffic issue in that area, regarding poor road conditions in Ward 3, and supporting the City's efforts to increase the density of homes in Avon Lake.
3. Mr. Shahmir received emails regarding poor road conditions in Ward I and electric bikes in the City.
4. Council President Fenderbosch received emails supporting and opposing the rezoning request of Pulte, regarding electric scooters and golf carts, and concerning hazardous trees and potholes in the City.

MAYOR'S REPORT

Mayor Spaetzel reported on the following:

1. Issue 4 passed by 66% vote of the residents at the Primary Election. This renewal levy will fund the City's safety services and infrastructure.
2. The City Pool opens on Thursday, June 5, 2025. Pool passes are available for sale at the early bird rate until June 1, 2025.
3. The National Police Officer Memorial Day services were held earlier today. Judge Allison Manning, Police Chief Caleb Robinson, and County Sheriff Jack Hall spoke at the services; the Avon Lake High School Merples and Band performed; and American Legion Post 211 gave their 21-gun salute.
4. American Legion Post 211 will host a Poppy Ceremony at 31972 Walker Road, Avon Lake, on Friday, May 16, 2025. They adopted the poppy as their memorial flower in 1921 and have used it since to raise money for veterans.
5. The Memorial Day celebration on Monday, May 26, 2025, begins with a memorial service at the Lakeshore Cemetery at 8 a.m., followed by the parade at 10 a.m., and additional services at Veterans Memorial Park at 10:45 a.m.

COUNCIL PRESIDENT'S REPORT

Council President Fenderbosch reported on the following:

1. The next Collective Committee Meeting is Monday, May 19, 2025, at 7 p.m. in the Council Chamber.
2. The rescheduled Council Meeting is Tuesday, May 27, 2025, at 7 p.m. in the Council Chamber.

BUILDING AND UTILITIES COMMITTEE REPORT

Ms. Gentry reported on the Building and Utilities Committee as follows:

1. The next Committee meeting is Wednesday, May 21, 2025, at 6 p.m. in the Council Chamber.

COMMUNICATIONS, ENVIRONMENTAL AND RECREATIONAL PROGRAMMING COMMITTEE REPORT

Mr. Shahmir reported on the Communications, Environmental, and Recreational Committee (CERP) as follows:

1. Three of the four applicants have been interviewed for the three vacancies on the Environmental Affairs Advisory Board (EAAB). Mr. Shahmir and EAAB Chair Mike McCormick will conduct a phone interview of the fourth applicant this week.

ECONOMIC DEVELOPMENT COMMITTEE REPORT

Mr. Arnold reported on the Economic Development Committee as follows:

1. The next Committee meeting is Tuesday, May 13, 2025, at 5 p.m. in the Council Chamber

FINANCE COMMITTEE REPORT

Mr. Zuber reported on the Finance Committee as follows:

1. The Committee met on May 5, 2025.
 - The agenda included the City's Procurement Policy, the 2026 Tax Budget, Fifth Third investments, adjustments in the capital budget due to payments being received through Issue 2, April financial statements, the CRS donation, and Walker Road Phase 5 appropriation.
 - The income tax revenue has fallen slightly but is still up 4%.
2. The next Committee meeting is Monday, June 2, 2025, at 6 p.m. in the Council Chamber.

HUMAN RESOURCES COMMITTEE REPORT

Mr. Smith reported on the Human Resources Committee as follows:

1. The Committee met earlier tonight.
 - The agenda included the HR Director's report regarding the City Engineer vacancy, a salary range for non-bargaining employees, a new background check vendor, the structural interview process developed by the Civil Service Commission, job descriptions for the Bailiff and Clerk of Courts, and a Firefighter/Paramedic appointment.

PUBLIC SAFETY AND HEALTH COMMITTEE REPORT

Mr. Kos reported on the Public Safety and Health Committee as follows:

1. The next Committee meeting is Tuesday, May 20, 2025, at 5:30 p.m. in the Council Chamber. One of the topics for discussion at that meeting will be electric bicycles.

2. Dr. Rudy Breglia presented information on House Bill (HB) 3 at the Collective Committee Meeting on May 5, 2025. At that time, there was uncertainty if the following language would be included in Resolution No. 25-76, “further, the National Transportation Safety Board, the National Safety Council, the Ohio PTA, and the Lorain County Commissioner support or recommend lap shoulder seatbelts for school buses.” Since the Committee voted to support HB 3 as is written and how it will be passed, Mr. Kos decided that the Resolution would support the entire HB 3 legislation. The recommendation for seatbelts in school buses is a separate issue and will be discussed at future Committee meetings.

PUBLIC SERVICE COMMITTEE REPORT

Council President Fenderbosch reported on the Public Service Committee as follows:

1. The next Committee meeting is Wednesday, June 4, 2025, at 5:30 p.m. in the Council Chamber.

PLANNING COMMISSION REPORT

Mr. Smith reported on Planning Commission as follows:

1. The Commission met on May 6, 2025.
 - The Commission approved the installation of an outdoor patio on the south side of the building at Las Margaritas Mexican Restaurant at 519 Avon Belden Road and the Planning and Zoning Code text amendments.
2. The next Commission meeting is Tuesday, June 3, 2025, at 7 p.m. in the Council Chamber.

Council President Fenderbosch announced that she will sponsor the legislation to rezone parcels at the southeast corner of Walker Road and SR 83.

ZONING BOARD OF APPEALS REPORT

Mayor Spaetzel reported on the Zoning Board of Appeals as follows:

1. The Board met on April 30, 2025.
 - DeHoff Development, the new owner of Towne Center, was granted a variance for new signage to replace the current sign at the entrances of Walker Road and SR 83.
2. The next Board meeting is Wednesday, May 28, 2025, at 7 p.m. in the Council Chamber.

CIVIL SERVICE COMMISSION REPORT

1. The Commission met on May 5, 2025.
 - The agenda included appointments of Caleb Robinson as Police Chief, Anthony Fabrizi as Lieutenant, Thomas Gerent as Firefighter/Paramedic, and Timothy Semmens as Public Works Laborer; job descriptions; and a military leave of absence.

PARKS AND RECREATION COMMISSION REPORT

1. The next Commission meeting is Wednesday, May 28, 2025, at 5:30 p.m. in the First Floor Conference Room.

TREE COMMISSION REPORT

Council President Fenderbosch reported on the Tree Commission as follows:

1. The next Commission meeting is Wednesday, May 14, 2025, at 6 p.m. at the Old Firehouse Community Center.

AUDIENCE PARTICIPATION

1. Rudy Breglia, Avon Lake, as a resident and a citizen advocate for seatbelts in school buses, thanked Council for their support of HB 3 and cited the following conclusions for Council's consideration:
 - Current safety features in Ohio are inadequate to protect children fully from injury and death in school bus incidents.
 - Five to six children are routinely killed, and thousands are injured in school bus crashes and sudden stops in the United States. From 2018 to 2022, 760 injuries to children have occurred in 260 school bus crashes in Ohio. Recently, Avon Lake had one reported injury in November 2023. There are 1,200 school bus crashes every year in Ohio. Children being driven down the highway at 70 mph have little chance of not being substantially injured without having seatbelts on in a crash. Ohio school bus drivers have had seatbelts since 1986.
 - Over the lifetime of a bus, the cost for adding seatbelts to new school buses is approximately less than 25% of the total cost of transporting students for a year at approximately \$1,100. Bluebird Corporation provides seatbelts as standard equipment at no extra cost for all their new buses.
 - Compartmentalization or paddle seatbelts theory, which is a primary U.S. school bus safety theory, routinely fails in crashes with serious consequences for children.
 - Protection by seatbelts from injury and death in vehicle crash has been known for more than 56 years.
 - Seatbelts improve student behavior and decrease driver-caused crashes.

- Recommendations for seatbelts in school buses have been published in 17 government agencies and safety-oriented organizations. Nine states and many cities' government and school districts require seatbelts in school buses.
- Substantial evidence exists for seatbelts in school buses being considered by a reasonably careful person as their standard of care for school bus safety.
- School districts and city councils have increased risks for unlimited compensatory damage awards in litigation that follows school bus crashes where seat belts were not available for student use.
- There are three school districts in Ohio (Avon Lake, Beachwood, and Hudson) that have purchased new school buses with seatbelts.

The following individuals addressed Council regarding Ordinance No. 25-83.

2. Bob Olive, Avon Lake, commented on the .3-mile stretch between Walker Road and Diamondhead Drive, noting that the proposed Pulte development would occupy over half that distance, raising traffic concerns. He urged Council to assess the potential impact, citing only two entry/exit points and likely congestion. He noted that a current stub road connects to Diamondhead Drive and aligns with Pulte's planned north-south road, suggesting a future connection. He expressed concern over the lack of traffic signals at that intersection and urged Council to vote no on the rezoning due to the impact on nearby residents.
3. Gerald Phillips, Avon Lake, questioned whether the City will apply the Comprehensive Land Use Plan to the proposed development, stating that Pulte's plan is inconsistent with the Towne Center vision outlined in the Plan. He cited page 75, which highlights mixed-use development with design concepts similar to Crocker Park, and noted that page 77 places residential uses on the perimeter, not the center, of the Towne Center focus area. He also stated that the rezoning violates Section 1218.05(a) and conflicts with multiple code sections, including 1218.04(c), 1218.04(d), 1210.06, and 1210.01(a). He reiterated his concerns about the City's future.

Mr. Phillips gave Council President Fenderbosch a document and requested that it become part of the record.

4. Jim Sayler of Reitz Engineering, Rocky River, as a representative of Pulte Homes, addressed Mr. Phillips' comments, clarifying that the Plan is not a zoning law. The Plan includes a conceptual map showing suggested visions and was introduced to Planning Commission on October 1, 2019. At that meeting, Mr. Sayler expressed concern that the Plan might be misinterpreted as a zoning map. The consultant clarified on the record that the map was only a suggestion and part of the Plan's postscript. Mr. Sayler stated that the area Pulte is requesting to rezone is a small portion of the Towne Center focus area and not large enough to support a development like Crocker Park. A mixed-use project

of that scale would generate more traffic, one of the main concerns of residents, Planning Commission, and Council. The Plan is intended to be suggestive, not prescriptive, and the proposed development aligns with its goals by providing additional residential options and promoting walkability to support nearby struggling businesses.

5. Susan Strickland, Avon Lake, stated that she does not want Diamondhead Drive to become a busy street. She expressed support for single-family housing and opposition to multi-family development. She acknowledged knowing that homes would eventually be built beyond the stub.
6. William Zimmerman, Avon Lake, stated that he attended the Planning Commission meeting where the rezoning request passed by a 4-2 vote. He believed the rezoning violated City ordinances and that the Mayor's involvement in the vote was improper. Council President Fenderbosch asked which ordinances were not followed. Mr. Zimmerman replied that they pertained to the Towne Center focus area. Council President Fenderbosch clarified that there is no ordinance specific to the Towne Center focus area.
7. Keith Filakowski of Pulte Homes summarized key points for Council's consideration before the vote. He emphasized that the rezoning request aligns with the City's strategic plan, which guides its vision and goals. The current zoning allows up to 104 units, but Pulte is requesting a rezoning to R-3 with a maximum of 73 units to maintain a consistent streetscape. He noted support from adjacent neighbors, public survey responses, and communications received by Councilmembers. A traffic study confirmed no adverse impacts, with the intersection maintaining a stable flow "C" condition even after full buildout of the Sandridge and Harbor Crest communities. Pulte has also proposed a turn lane to further reduce traffic concerns. He urged Council to vote yes to allow continued progress on a site plan that supports diverse housing and revitalization of the Towne Center.
8. Dave Quester, Avon Lake, questioned whether the vision for Avon Lake is to be a retirement community or a family-oriented one. He expressed a preference for single-family homes over apartment-style buildings. After reviewing the renderings, he felt the proposed development resembled an apartment complex, not the condos built by Kopf Builders. He stated that if this is the direction the City is heading, it would be a mistake, as many move to Avon Lake for its family-friendly environment. He urged Council to vote no on the rezoning.

LEGISLATION

Third Readings:

Resolution No. 25-76, A RESOLUTION IN SUPPORT OF HOUSE BILL 3, THE SCHOOL BUS SAFETY ACT, was read by title only.

Mr. Kos moved for passage of Resolution No. 25-76. This legislation supports House Bill (HB) 3, the School Bus Safety Act, which establishes a \$25 million fund to help school districts obtain grants for safety improvements. Avon Lake was a state leader in partnering with the City School Board to implement key safety measures, including increased penalties for illegally passing stopped school buses and installing cameras. While the City was fortunate to have funding for these enhancements, many districts were not. HB 3 will provide financial support to those districts, easing the burden on school boards and municipalities. The City has also had ongoing discussions about installing seatbelts on school buses, and HB 3 would offer a funding mechanism for districts choosing to move forward with that initiative. Dr. Breglia has provided valuable data in support of seatbelts, and the City will continue to evaluate that option.

Mr. Zuber moved to amend Resolution No. 25-76 to add in the fifth whereas the following language, “further, that the National Transportation Safety Board, the National Safety Council, Ohio PTA, and Lorain County Commissioners support and recommend lap shoulder seatbelts for school buses.”

Mr. Zuber stated his support of Dr. Breglia’s request to add this language to the legislation.

Mr. Kos stated that he opposes the amendment because the Public Safety and Health Committee voted specifically to support HB 3. While he may personally agree with the additional language, it was not the Committee’s intent to include it. He emphasized that support from other organizations is a separate issue from HB 3 as it is currently being considered in Columbus. If HB 3 passes, then Council and the School Board can evaluate recommendations from these groups and decide how best to access the available funds for safety features.

Yes: Shahmir, Smith, Zuber

No: Kos, Arnold, Fenderbosch, Gentry

Motion failed.

Vote on Passage of Resolution No. 25-76.

Yes: Kos, Shahmir, Smith, Zuber, Arnold, Fenderbosch, Gentry

No: None

Motion carried.

Resolution No. 25-76 adopted.

Ordinance No. 25-77, AN ORDINANCE AMENDING EMERGENCY TRANSPORT SERVICE FEES IN CODIFIED ORDINANCE SECTION 208.01 AND DECLARING AN EMERGENCY, was read by title only.

Mr. Kos moved for passage of Ordinance No. 25-77. This legislation will amend the Fee Schedule for Emergency Transport Service fees collected from non-residents, as recommended by the Fire Chief and the Public Safety and Health Committee. The City's fees had not been adjusted in five years and were below those of surrounding communities.

Yes: Kos, Shahmir, Smith, Zuber, Arnold, Fenderbosch, Gentry

No: None

Motion carried.

Ordinance No. 25-77 adopted.

Ordinance No. 25-83, AN ORDINANCE TO REZONE AN 11.8627-ACRE SITE AT THE SOUTHEAST CORNER OF WALKER ROAD AND AVON BELDEN ROAD (SR 83) FROM SINGLE-FAMILY RESIDENCE (R-1A) AND GENERAL COMMERCE (B-2) TO MULTI-FAMILY RESIDENCE (R-3) AND DECLARING AN EMERGENCY, was read by title only.

Council President Fenderbosch moved for passage of Ordinance No. 25-83. This legislation will authorize the rezoning of an 11.8627-acre site at the southeast corner of Walker Road and SR 83 from a Single-Family (R-1A) and General Commerce (B-2) to a Multi-Family Residence (R-3). Planning Commission reviewed the rezoning application of Pulte Homes of Ohio, LLC, on April 1, 2025, and recommended, it with the condition that the maximum density shall not exceed 7 dwelling units per acre, with a total cap of 73 units.

Council President Fenderbosch reviewed the rezoning request submitted to Planning Commission and addressed residents' concerns regarding density and traffic. She explained that the Comprehensive Land Use Plan anticipates increased traffic with any type of development. In response to concerns about tree removal, she clarified that it would not impact the City's Tree City USA designation, as the program's criteria extend beyond simply the number of trees. She reiterated that the Plan reflects the City's long-term vision. It establishes priority levels and identifies focus areas. This particular area is characterized by underutilized land or buildings and presents opportunities to better serve existing neighborhoods, enhance community identity, and create a variety of housing options. Although Towne Center serves as the primary hub of the City, the property proposed for rezoning is located outside of it but is expected to provide support to it. Only a small portion of the property, as displayed, falls outside the Plan's designated area. Council President Fenderbosch also reviewed the density requirements for the zoning districts and confirmed that a traffic study was conducted by Pulte. Additionally, the City Engineer and TranSystems reviewed the traffic study, and they agreed that the roadway is capable of supporting additional traffic.

Ms. Gentry stated that there was discrepancy in what the traffic studies actually stated. They claim that Pulte does not contribute to the traffic issues; however, problems clearly exist. The northbound turn lane is not long enough, and both the southbound right and left turn lanes, as well as the westbound lane, are also insufficient. In her opinion, stating that traffic is not a problem is a fallacy.

Council President Fenderbosch stated that TranSystems presented eight options to address traffic, and seven of the eight met their standards. The one that didn't required a longer stacking lane is something the City can control.

Ms. Gentry agreed and stated that the traffic issue already existed. Her concern is that the City will be adding more traffic to an already existing issue without being able to address it. She asked whether the conditions placed on the development by Planning Commission can be changed in the future.

In response, Law Director Ebert stated that the conditions were placed within the deed, and the deed will control.

Mayor Spaetzel agreed that the study showed Pulte's development will not considerably increase traffic. Since this is a City issue, he offered assurance that it will be addressed by the City. The City is actively exploring options to create funding to improve the entire intersection. Pulte has offered to contribute toward the cost of extending the left-turn lane at their property, a project that can be completed in the near future.

Mr. Kos stated his opposition to the rezoning of these parcels, noting that while a semi-high-rise building would technically be permitted under the new zoning, he does not believe such a development would actually occur. Even if it did, it would still require review by Planning Commission and Council. He added that because the rezoning request falls within a business district and given his recent sponsorship efforts to create and support such districts, he cannot support this proposal.

Mr. Arnold supported the rezoning, stating the 73 units are intended for retirees or professionals and reflect the need for diverse housing in the City. He disagreed that the development would worsen traffic and noted that if traffic is a concern, the City should address it because of the interest in redeveloping Towne Center. He believes traffic concerns are overstated and that more housing is needed.

Mr. Smith expressed concern regarding the proposed rezoning to R-3 (12 units/acre), emphasizing that the approach of zoning higher and reducing density later is problematic. He noted the lack of green space in the proposal and cited Section 1012.06, which codifies the requirement to follow the Plan. The Plan recommends a mixed-use district, which the current proposal does not support. Additionally, under Section 1218.05(c)(2) of the Zoning Code, Planning Commission and Council have the authority to restrict densities based on compatibility with surrounding development, project scale, traffic impacts, and Plan recommendations. He stated that traffic was

not a factor in their comments and concluded there is no need to rezone the property, particularly not to R-3.

Mr. Zuber stated that from the City's perspective, the proposed zoning is appropriate for that section of the City. It represents a logical transition or "step down" from commercial to multi-family to single-family residential, consistent with development patterns on both sides of Walker Road. He noted that the developer could currently build up to 104 units, and the proposal reflects a 25% reduction from that. He emphasized that land availability in the City is limited. While the traffic study may be disregarded by some, it indicates minimal additional traffic. Also, Pulte will address existing water issues for nearby residents. He concluded that this proposal represents the City's best alternative and aligns with the intent of the Towne Center area, even if not precisely as shown on the Plan's map.

Mr. Shahmir acknowledged agreement with portions of previous remarks and pointed to a past issue near Walker and Lear Roads, attributing it to insufficient planning by the City. He emphasized the importance of the City taking a proactive role in implementing the Plan, including conducting comprehensive, regional traffic impact assessments rather than relying solely on developer-provided studies. While site development is inevitable, the City should be prepared with a clear understanding of the broader impacts. This would enable more informed and strategic discussions with developers, avoiding fragmented decision-making based on individual projects.

Mayor Spaetzel noted that the rezoning proposal was approved by Planning Commission with a 4-2 vote, based on the eight criteria outlined in the Planning and Zoning Code. He emphasized that any vote to reject the recommendation must identify which of those criteria were not met. He referenced the Plan's map, pointing out that the only residential development currently shown is Sandridge. He argued that if the goal is to support a mixed-use area, additional residential development is necessary to sustain nearby retail. He cited nearby residential densities: Towne Center Condos (4.61 units/acre), The Landings (11.02 units/acre), and Sandridge (6.32 units/acre). While the R-3 zoning allows up to 12 units/acre, Pulte is proposing a restriction to 6.15 units/acre. There is a need for traffic improvements, but they did not view traffic as overwhelming. He added that future retail, such as a grocery store, would generate more traffic than this development. Regarding tree canopy loss, he clarified that the property is privately owned, and Tree City USA standards apply to public land. Pulte will work with the City to restore the urban canopy.

Yes: Zuber, Arnold, Fenderbosch, Gentry

No: Kos, Shahmir, Smith

Motion carried.

Ordinance No. 25-83 adopted.

Second Readings:

Ordinance No. 25-86, AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF PROFESSIONAL ENGINEER IN AVON LAKE REGIONAL WATER AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION, was read by title only.

This legislation will adopt a job description for the position of Professional Engineer in Avon Lake Regional Water, as recommended by the Avon Lake Municipal Utilities Board. The position is classified as non-exempt and unclassified, supervised by the Engineering Services Manager.

Ordinance No. 25-87, AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF SENIOR PROFESSIONAL ENGINEER IN AVON LAKE REGIONAL WATER AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION, was read by title only.

This legislation will adopt a job description for the position of Senior Professional Engineer in Avon Lake Regional Water, as recommended by the Avon Lake Municipal Utilities Board. The position is non-exempt and unclassified, supervised by the Engineering Services Manager, and will oversee the Professional Engineer, Engineer, and Infrastructure Technician Specialist.

Ordinance No. 25-88, AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF BUSINESS DEVELOPMENT DIRECTOR IN AVON LAKE REGIONAL WATER AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION, was read by title only.

This legislation will adopt a job description for the position of Business Development Director in Avon Lake Regional Water, as recommended by the Avon Lake Municipal Utilities Board. The position is exempt and unclassified, reporting directly to the Chief Utilities Executive, and will supervise the Engineering Services Manager, Facilities and Asset Manager, and Business and Financial Coordinator.

Ordinance No. 25-89, AN ORDINANCE FIXING COMPENSATION RANGES FOR AVON LAKE REGIONAL WATER NON-BARGAINING POSITIONS, REPEALING ORDINANCE NO. 23-193, AND DECLARING AN EMERGENCY, was read by title only.

This legislation will update compensation ranges for non-bargaining positions within Avon Lake Regional Water, as recommended by the Avon Lake Municipal Utilities Board, and repeal Ordinance No. 23-193.

First Readings:

Ordinance No. 25-98, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PERSONAL SERVICES AGREEMENT WITH SIMVAY SYSTEMS, LLC, FOR ENTERPRISE CYBER RISK MANAGEMENT SERVICES AND DECLARING AN EMERGENCY, was read by title only.

This legislation will authorize the Mayor to execute a personal services agreement with Simvay Systems, LLC, of Westlake, Ohio, for cyber risk management services at the monthly cost of \$1,500 and shall not exceed \$18,000 for the duration of the agreement.

Ordinance No. 25-99, AN ORDINANCE AUTHORIZING A DONATION TO COMMUNITY RESOURCE SERVICES AND DECLARING AN EMERGENCY, was read by title only.

This legislation will authorize the donation of \$25,000 to Community Resource Services (CRS) of Avon Lake, Ohio. CRS provides basic needs assistance and individualized resource and referral services to residents of Avon and Avon Lake.

PUBLIC INPUT

1. Dr. Rudy Breglia, Avon Lake, expressed concerns about Resolution No. 25-86, stating that it reflects an anti-seat belt bias. He noted that while seat belts are mentioned twice in the resolution, neither reference is positive. However, he acknowledged that the resolution does include complimentary references to seat belt safety features. Dr. Breglia also recited positive attributes of seat belts from a report he previously submitted to Council.
2. Nicole Ampofo, Avon Lake, raised concerns about the ongoing demolition and its potential impact on groundwater and air quality. While she acknowledged existing precautions to avoid disturbing underground lines, she requested more frequent public documentation of chemical measurements. She emphasized the need for benchmark testing before and after demolitions, especially with additional structures scheduled for demolition through August. Ms. Ampofo noted that standard water testing occurs annually in May, with results not available until the following year, and that air quality testing is limited to specific months. She urged the City to provide more frequent testing or stated she would seek an independent group to conduct the necessary assessments.
3. Gerald Phillips, Avon Lake, expressed disappointment with Council's approval of the rezoning legislation. As a candidate for the At-Large seat, he pledged not to support legislation that conflicts with the Comprehensive Land Use Plan unless compelling evidence justifies it. He stated that no such evidence was presented and criticized Council for disregarding a \$225,000 Plan in favor of rezoning for Pulte. He characterized the action as spot and contract zoning due to imposed conditions and deed restrictions, citing relevant code sections. He also noted that he submitted a public records request to the Community Development Director the previous Thursday, which had not been fulfilled, denying him access to the Pulte file before the meeting.
4. William Zimmerman, Avon Lake, voiced opposition to the rezoning, comparing it to the controversy surrounding the Animal Clinic parking lot. He displayed a piece of coal he claimed was left in his mailbox, allegedly from the former coal

pile. He reiterated a previous request for Council meetings to be video recorded and made available for public viewing on demand.

Mayor Spaetzel clarified that, contrary to earlier statements by Mr. Zimmerman, the City Charter mandates the Mayor's membership on Planning Commission. Regarding the public records request, he stated that the City fulfilled part of the request and informed Mr. Phillips that the remaining documents were too voluminous to copy. Mr. Phillips was advised to schedule an appointment to review the file in person, as the Records Clerk was unavailable Friday afternoon and Monday morning.

Mr. Kos moved for adjournment.

Yes: Kos, Shahmir, Smith, Zuber, Arnold, Fenderbosch, Gentry

No: None

Motion carried.

Adjournment: 9:40 p.m.

Approved: /s/ Jennifer G. Fenderbosch
Council President

Attest: /s/ Valerie E. Rosmarin
Clerk of Council